



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, July 21, 2008

Commissioner David Lillard, Chairman
Commissioner Deidre Malone, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism

Commissioner George Flinn
Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Steve Mulroy
Commissioner Mike Ritz

4/10/2010 8:51 AM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman David Lillard

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

Reverend Martin McCain
Grace United Methodist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

Ordinances

1. [ORDINANCE- FIRST READING - an Ordinance to amend the Shelby County Code of Ordinances, Chapter 2, Article II, Section 2-57 relative to the purchase, sale, or exchange of materials, supplies, commodities, equipment and real estate from, to or with any federal, state or local governmental entity. Sponsored jointly by Commissioners Joe Ford and Mike Carpenter.](#)
(Notes: FORD1)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

2. [Resolution creating a Select Committee on Shelby County's finances to evaluate and review funding needs of Shelby County Government and to create strategies to address these changes and needs. Sponsored by Commissioner Deidre Malone and Commissioner Mike Ritz.](#)
(Notes: MALONE1)
3. [A resolution approving an agreement with Spring Creek Ranch, LLC and an expenditure of funds in the amount of \\$98,400.00 for the rights to connect the proposed Cotton Creek Area Sewer system to the Spring Creek Ranch Pump Station for transportation of the wastewater to the Town of Collierville publicly owned treatment works and this item requires an expenditure of County CIP Funds in the amount of \\$98,400.00. Sponsored by Commissioner Wyatt Bunker.](#)

(Notes: BUNKER1)

4. A resolution approving an amendment to the contract with AFRAM Corporation in the amount of \$133,112.20 for the design of a low pressure sewer system in the Cotton Creek Area and this item requires an expenditure of County CIP Funds in the amount of \$133,112.20. Sponsored by Commissioner Wyatt Bunker.

(Notes: RITZ1)

5. Resolution establishing and defining the duties and responsibilities of the Shelby County Criminal Justice Coordinating Council and appointing members to said council. Resolution sponsored by Commissioner Sidney Chism.

(Notes: CHISM2)

6. Resolution approving a contract amendment with Aramark Correctional Services Inc., in the amount of \$683,333.00 for the provision of food services for inmates and staff at the Shelby County Main Jail and Jail East and this item requires expenditure of County General Funds. Sponsored by Commissioner Sidney Chism.

(Notes: MALONE2)

7. Resolution requesting approval of a contract with the City of Memphis in the FY09 Shelby County Operating Budget in the amount of \$100,000 for outside contracts for the Shelby County District Attorney General's office for the Shelby County Anti-Gang Initiative and the FY07 Project Safe Neighborhoods. This item requires expenditure of Federal Grant Funds in the amount of \$100,000. Sponsored by Commissioner Sidney Chism.

(Notes: MULROY2)

8. Resolution requesting approval of a budget amendment in the FY09 Shelby County Operating Budget in the amount of \$78,500 for the Shelby

County District Attorney General's Office for the Shelby County Anti-Gang Initiative. This item requires expenditure of Federal Grant Funds in the amount of \$78,500. Sponsored by Commissioner Sidney Chism.
(Notes: CHISM2)

9. A resolution amending the Fiscal Year 2008-2009 Operating Budget for the Chief Administrative Office, Office of Preparedness Hazardous Material Emergency Preparedness Grant in the amount of \$7,000.00 and this item requires the expenditures of pass through funds in the amount of \$7,000.00 under the U.S. Department of Homeland Security Grant Programs. Sponsored by Commissioner Sidney Chism. (ADD-ON IN COMMITTEE 7/16/08)
(Notes: FLINN2)

10. Resolution encouraging all entities with the power to issue PILOT benefits to annually report to the Shelby County Board of Commissioners on their actions taken and dates thereof concerning PILOT expirations. Sponsored by Commissioner Mike Ritz. (Deferred to 8/4/08)
(Notes: HARVEY1)

11. A RESOLUTION approving the fourth addendum to a lease agreement between L & P Building owner, LLC and Delta Commission on Aging d/b/a Aging Commission of the Mid-South to provide office space on the 10th and 9th floors at 2670 Union Avenue Extended, Memphis, TN 38112 from July 1, 2008 – June 30, 2009 and which requires expenditure of state grant funds in the amount \$104,676.48 and federal grant funds in the amount of \$74,257.68. Sponsored by Commissioner Joyce Avery.
(Notes: FLINN1)

12. A RESOLUTION amending the FY09 budget in the amount of \$84,022 to allow maximum expenditure of funds from the Shelby County Community

Services Agency Tornado Emergency funds. This item requires expenditure of funds donated to the general fund in the amount of \$84,022. Sponsored by Commissioner George Flinn.

(Notes: AVERY1)

13. Resolution amending the contract between the Exchange Club Family Center of Memphis and Shelby County Government in the amount of \$100,000.00 for the provision of domestic violence assessment services for the period July 1, 2008 through June 30, 2009. This item requires expenditure of General Funds in the amount of \$100,000.00. Sponsored by Commissioner George Flinn.

(Notes: FLINN1)

14. A resolution to appoint a Judicial Commissioner and set the term of the appointment. Sponsored by Commissioner Joe Ford. (WITHDRAWN IN COMMITTEE 7/16/08)

(Notes: FORD1)

15. Resolution to approve an amendment to the contract with Tony Lanigan Moving Services for an additional one year renewal requiring the expenditure of funds in the amount of \$115,000.00 for the furnishing of Drayage services to the Election Commission for voting machines and equipment and this item requires the expenditures of county general funds. Sponsored by Commissioner Deidre Malone.

(Notes: CHISM1)

16. Resolution amending the contract with Premier Election Solutions, Inc. (formerly Diebold Election Systems, Inc.) for the purchase of the Electronic Poll Book and transferring the CIP Funds for Voter Verifiable Paper Audit Trail Trail previously approved by resolution 38 adopted on March 13, 2006 to reallocate these funds originally appropriated for the VPAT. Sponsored by

Commissioner Deidre Malone. (Amended in
Committee 7/16/08)
(Notes: FORD1)

17. Resolution to amend the definition of the Design Review Committee in the resolution approved June 16, 2008 amending the policies and procedures of the Shelby County Homestead Program pursuant to Chapter 281 of the Public Acts of 1985 and as authorized by the Shelby County Mayor and the Shelby County Board of Commissioners by resolution on October 7, 1985. Sponsored by Commissioner Mike Ritz. (Deferred to 8/4/08)
(Notes: BROOKS1)
18. Resolution approving the sale of Fifteen Delinquent Tax Parcels totaling \$41,200.00 from Tax Sale (s) 005, 95.2, 99.05, 0203, 0204, 0205, 0209, and 0304 pursuant to the provisions of TCA 67-5-2507. Sponsored by Commissioner J. W. Gibson, II.
(Notes: GIBSON1)
19. Resolution approving the sale of Six Delinquent Tax Parcels totaling \$20,500.00 from Tax Sale (s) 0203, 0204, and 0305 pursuant to the provisions of TCA 67-5-2507. Sponsored by Commissioner J. W. Gibson, II.
(Notes: FORD1)

REGULAR AGENDA

Elections, Appointments, and Confirmations

20. Resolution approving the County Mayor's nomination of Carolyn C. Hardy for appointment to the Memphis and Shelby County Land Use Control Board. This resolution is sponsored by Commissioner Joe Ford.
(Notes: FORD1)

21. [Resolution Approving the Mayor's Nomination of John Conroy for appointment to the Shelby County Housing Authority Board Sponsored by Commissioner Joe Ford.](#)
(Notes: GIBSON1)

Ordinances

Zoning and Subdivisions

22. [CASE NO. S.U.P. 08-207 CC](#)
APPLICANT: Global Tower, LLC
LOCATION: North side of Independence Road; +/- 250 feet east of Woodstock-Cuba Road
REQUEST: Special use permit for 195-foot CMCS monopole cell tower
RECOMMENDATIONS:
Memphis and Shelby County Office of Planning and Development:
APPROVAL WITH CONDITIONS
Memphis and Shelby County Land Use Control Board:
APPROVAL WITH CONDITIONS
(Notice of public hearing published in the Daily News on Friday, July 7, 2008).
(Sent from committee without recommendation)
(Notes: RITZ1)
23. [CASE NO. S.U.P. 08-205 CC](#)
APPLICANT: Collierville First Baptist Church
LOCATION: West side of Collierville-Arlington Road; +/-5,600 feet south of Macon Road
REQUEST: Special Use Permit to allow recreational and sports field lighting
RECOMMENDATIONS:
Memphis and Shelby County Office of Planning and Development:
APPROVAL WITH CONDITIONS
Memphis and Shelby County Land Use Control Board:
APPROVAL WITH CONDITIONS

(Notice of public hearing to interested property owners ordered sent by Land Use Committee prior to next meeting.)

(Deferred to 8/4/08)

(Notes: CARPENTER1)

Reports and/or Resolutions for Standing Committees

24. [A resolution approving an agreement with the Town of Collierville to treat the wastewater from the Cotton Creek Area. Sponsored by Commissioner Wyatt Bunker. \(Sent from committee without recommendation\)](#)

(Notes: BUNKER1)

25. [Resolution by the Shelby County Board of Commissioners to encourage the elected judges of the Criminal Courts, General Sessions Criminal Courts, and Civil Courts to collaborate with the Shelby County Sheriff to develop alternate court security arrangements that incorporate the use of part-time retired deputy sheriffs. Sponsored by Commissioner Wyatt Bunker. \(Deferred to 8/4/08\)](#)

(Notes: CHISM2)

26. [Resolution approving contract with Aramark Correctional Services, LLC in an amount not to exceed \\$4,150,000.00 for the management and provision of food services for the Division of Corrections and amending the FY09 Corrections Fund Budget. This item requires expenditure of Corrections Funds in the amount of \\$4,150,000.00. Sponsored by Commissioner Sidney Chism. \(FAILED IN COMMITTEE 7/16/08\)](#)

(Notes: CHISM2)

27. [Resolution deferring approval of the Shelby County Board of Education Operating Budget for FY2009 as adopted by the Shelby County Board of Education. Sponsored by Commissioner Mike Ritz.](#)

(FAILED IN COMMITTEE 7/16/08)

(Notes: GIBSON2)

28. Resolution approving the Shelby County Board of Education Operating Budget for FY 2009 as adopted by the Shelby County Board of Education. Sponsored by Chairman David Lillard.
(Notes: AVERY2)

29. Resolution amending Rule 7 of the Commissioners Permanent Rules of Order. Sponsored by Commissioner Joe Ford. (AMENDED IN COMMITTEE 7/16/08)
(Notes: FORD1)

30. Resolution by the Board of Commissioners of Shelby County, Tennessee requiring criminal, sex offender, and child support background checks for all nominees to any board, agency, or commission that are appointed and/or confirmed by the Board of County Commissioners. Sponsored by Commissioner Henri E. Brooks. (DEFERRED TO 8/4/08)
(Notes: BUNKER1)

31. Resolution eliminating pay for unused sick leave at retirement for new employees. Sponsored by Commissioner Sidney Chism.
(Notes: BUNKER1)

32. Resolution Approving the Shelby County Compensation Policy for FY 2008-2009. This resolution is sponsored by Commissioner Joe Ford.
(Notes: FORD1)

Announcements/Statements

33. Notification from County Mayor of various

appointments/reappointments to Boards, Commissions, and offices of Shelby County Government. a) Resolution approving the County Mayor's nomination of Gale Kennebrew for appointment to the Shelby County Ethics Commission. This resolution is sponsored by Commissioner Joe Ford.

Adjournment

34. [Resolution of Adjournment to Monday, August 4, 2008 at 1:30 p.m.](#)